

FY09 SECTION 106 WORKPLAN (Underline one): Draft or Final
REGION 4 TEMPLATE

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 EPA Project Officer: Cheryl espy
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Goal 2 - Clean and Safe Water

Goal 5 – Compliance and Environmental Stewardship

TASK No.	106 Workplan Task Description	Basis for 106 Workplan Task	Output/Outcome	Due Date	EPA Comments	Mid & End-of-Year St Report/State Comm <i>(Indicate whether task has b by writing the date the task v completed. If the task is not completed, provide an expla. for any delays or issues encountered.)</i>
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States are or will be transitioning, may or may not occur this FY, from the Permit Compliance System (PCS) to the Integrated Compliance Information System-National Pollutant Discharge Elimination System (ICIS-NPDES). For purposes of this and future 106 Workplans (as stated in the EPA/ State MO/ PCS has been replaced with ICIS-NPDES. Another change in this 106 Workplan will be the possible transition from Water Enforcement National Data Ba (WENDB) data elements to Requisite ICIS Data Elements (RIDE).

1.a.	Conduct a sufficient number of inspections each quarter, based on the FY09 Inspection Plan (Plan), to assure inspection commitments are met. All inspections must be entered into ICIS-NPDES to count toward the State's commitment. Include specifics from FY09 Plan	40 C.F.R. § 123.26, National Priorities, Goal 5 of the Strategic Plan	Conduct inspections/audits	10/01/08-09/30/09	Goal 5 of the Strategic Plan is entitled, "Compliance and Environmental Stewardship"; 5.1.3-CWA01.s requires the number of State inspections at NPDES major facilities.	
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Date of latest workplan revision:E-mail Address: johnson.alenda@epa.govE-mail Address: espy.cheryl@epa.govE-mail Address: chuch.ziegmont@dep.state.fl.us**Goal 2 - Clean and Safe Water****Goal 5 – Compliance and Environmental Stewardship**

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1.b.	Prepare and submit a Compliance Monitoring Strategy (Inspection Plan in MOA) for FY10 (10/01/09-09/30/10). The Strategy shall be consistent with EPA guidance dated October 17, 2007. In this Strategy, the State should incorporate any compliance or enforcement topics or concerns developed as a part of the State's Priority Watershed Initiatives. The Strategy shall include the following inspection commitments: <u>Conventional Facilities (includes municipal, federal, and industrial WWTps):</u> Inspection types which count toward the inspection commitment	40 C.F.R. § 123.26, National Priorities, EPA Memorandum dated October 17, 2007, and Goal 5 of the Strategic Plan	Submit draft inspection plan Finalize and submit final inspection plan		EPA Memorandum of October 17, 2007, is entitled "Clean Water Act National Pollutant Discharge Elimination System Compliance Monitoring Strategy for the Core Program and Wet Weather Sources" Goal 5 of the Strategic Plan is entitled, "Compliance and Environmental Stewardship"; 5.1.3-CWA01.s requires the number of State inspections at NPDES major facilities.	

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	<p>for Major Conventional Facilities are: Compliance Evaluation Inspection (CEI), Compliance Sampling Inspection (CSI), Performance Audit Inspection (PAI), Compliance Biomonitoring Inspection (CBI), and/or Toxicity Inspection (XSI).</p> <p>Majors: 100%/2 years (minimum is 50%/year)</p> <p>Total major facility inspections =</p> <p>Inspection types which count toward the inspection of minor conventional facilities that discharge pollutants of concern to 303d or 305(b) listed waters are: CEI, CSI, PAI, CBI, and/or XSI.</p> <p>Minors discharging to 303d or</p>					

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	<p>305(b) listed waters: comprehensive once/5 years</p> <p>Rpt Universe of minor facilities on 303d or 305(b) list =</p> <p>Total facility inspections of minors discharges to 303d or 305(b) listed waters =</p> <p>Inspection types which count toward the inspection of other minor conventional facilities are: CEI, CSI, PAI, DI, CBI, XSI, Reconnaissance, Operation and Maintenance (O&M) and enforcement follow-up.</p> <p>Minors: once/5 years (minimum is 20%/year)</p> <p>General Permits:</p> <p>Rpt Universe of general permitted</p>					

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	<p>facilities = Total general facility inspections = <u>Stormwater (SW) Facilities:</u></p> <p>MS4s Audits/Inspections: Audits are comprehensive reviews to evaluate overall program implementation and involve record review, personnel interviews as well as field over-sight. Inspections involve review of some, not all, program elements. The MS4 inspection involves a review of a limited subset of MS4 control permit elements or an inspection of an individual site within the MS4's jurisdiction to determine if the control authority has an adequate inspection program (MS4 oversight inspection).</p>					<p>Program costs for the NPD Stormwater Program in Florida, in part, are regulated by the number of field inspections are tasked to a contractor. spending authority is limited to budget cuts, this could also limit the number of field inspections conducted.</p>

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	<p>Phase I MS4 Audits: once/5 years from issuance of EPA's Guidance dated 10/17/07 (minimum is 20%/year)</p> <p>Rpt Universe of Phase I MS4 Facilities =</p> <p>Phase I MS4 Audits =</p> <p>Phase I MS4 Inspections: on an as needed basis</p> <p>Phase I MS4 Inspections =</p> <p>Phase II MS4 Audits & Inspections: once/7 years from issuance of EPA's Guidance dated 10/17/07</p> <p>Rpt Universe of Phase II MS4 Facilities =</p> <p>Phase II MS4 Audits =</p> <p>Phase II MS4 Inspections =</p>					

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	Industrial SW: 10%of the permitted universe Rpt Universe of Industrial SW Facilities = Industrial SW inspections = SW Construction is a joint EPA/State goal: Construction10% of Rpt Universe of Phase I SW Construction Facilities = Phase I Construction SW Inspections = 5% of Rpt Universe of Phase II SW Construction Facilities = Phase II Construction SW Inspections = <u>Concentrated Animal Feeding Operation Facilities (CAFO)</u> is a					

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	<u>joint EPA/State goal:</u> Large and Medium Permitted CAFOs 1/5 years Rpt Universe of Large/Medium Permitted CAFO Facilities Large and Medium NPDES CAFO inspection Large Unpermitted CAFOs within 5 years Rpt Universe of Large Unpermitted CAFO Facilities Medium Unpermitted CAFOs shall be assessed one time initially. Prioritize based on priority watersheds, nutrient impairments and complaints. Rpt Universe of Unpermitted CAFO Facilities					

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	<p>Small Animal Feeding Operations (AFOs) on an as needed basis, based upon complaints.</p> <p>Rpt Universe</p> <p><u>Sanitary Sewer System (SSO) Inspections:</u></p> <p>SSO inspections may be conducted in conjunction with compliance inspections at the POTWs. SSO inspections evaluate compliance with SSO provisions present in the NPDES permit, an enforcement order, a consent decree, or another enforceable document. The inspector collects information to verify that the permittee is complying with the NPDES permit (proper operation and</p>					

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	maintenance) and the required notification procedures and determines whether there have been any unpermitted discharges, or discharges from a location other than the discharge point specified in the permit to waters of the United States. <u>Whole Effluent Toxicity (WET):</u> The State shall have the ability to conduct biomonitoring inspections, have a designated contractor conduct inspections, or have an equivalent program to independently verify a discharger's compliance with WET permit requirements. The State shall describe their approach to the Plan.					
	Reporting/Enforcement					

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2.	Submit the Quarterly Noncompliance Report (QNCR). Provide brief written annotations denoting compliance/ enforcement status when a QNCR-listed permittee is determined to be in Significant Noncompliance (SNC) for 2 or more quarters by ICIS-NPDES. <i>*Dates dependent upon PCS or ICIS-NPDES operations; regulatory dates are noted.</i>	40 C.F.R. § 123.45 and	Submit annotated QNCR. Execute and submit copies of draft and final enforcement actions, as requested.	11/30/08* 02/28/09* 05/31/09* 08/31/09*	Goal 2.2.1 of the Strategic Plan is entitled “Improve Water Quality on a Watershed Basis”; WQ-15.b. requires report the number and percent of major dischargers in SNC discharging pollutants of concern on impaired waters.	

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3.	The Facilities Watch List (FWL) will be provided to the State on a quarterly basis. Within 15 days of being notified by EPA of FWL generation, the State shall execute a formal enforcement action, refer the facility to EPA for enforcement, or provide a written explanation of either why no formal action is appropriate or the type of formal action being taken, with a projected date of action. <i>*Due date may vary depending on the generation and state notification date.</i>		Submit written FWL explanation or refer to EPA. Execute and submit copies of draft and final enforcement actions, as requested.	11/15/08* 02/15/09* 05/15/09* 08/15/09*	Goal 2.2.1 of the Strategic Plan is entitled "Improve Water Quality on a Watershed Basis"; WQ-15.b. requires report the number and percent of major dischargers in SNC discharging pollutants of concern on impaired waters.	
4.	Submit Semi-annual Statistical Summary Report (SSSR) containing information concerning the number of major dischargers with 2 or more	40 C.F.R. § 123.45(b)	Submit report	02/28/09 08/31/09	EPA will generate a draft SSSR and provide the draft to the State for review and submission.	

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	violations of the same monthly average limitation within a 6 month period. <i>*Dates dependent upon PCS or ICIS-NPDES operations; regulatory dates are noted.</i>					
5.	Submit Annual Noncompliance Report (ANCR) containing information concerning the number of non-major dischargers in noncompliance. <i>*Dates dependent upon PCS or ICIS-NPDES operations; regulatory dates are noted.</i>	40 C.F.R. § 123.45(c)	Submit report	02/28/09	EPA will generate a draft ANCR and provide the draft to the State for review and submission.	

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6.	Submit State Judicial Actions Report.	40 C.F.R. § 123.27	Submit report	11/30/08 02/28/09 05/31/09 08/31/09	The State Judicial Actions Report is a summary of judicial actions and should include the following: name of entity w/NPDES number; summary of violations; injunctive relief w/ final compliance date; and penalty assessed and paid.	
7.	Upon request by EPA, submit copies of Inspection Reports in either hard or electronic form.	Regional Priorities	Submit requested copies of inspection reports.			
8.	Upon request by EPA, submit hard or electronic copies of enforcement actions.	Regional Priorities	Submit requested copies of actions.			

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9.a	Submit list of CAFO facilities with permits or that are registered.	40 C.F.R. § 122.23 and National Priorities	Submit list	12/31/08		
9.b.	Submit a list of CAFO facilities without permits and indicate if a completed application or a Notice of Intent has been received.	40 C.F.R. § 122.23 and National Priorities	Submit list	12/31/08		
10.a	Assist in watershed targeting for Cycle 3 of the MOM Program Project, as requested.	Regional Priority	Schedule with staff.			

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10.b	For State led MOM projects, provide prompt review and issuance of determination (and possible enforcement action) for each utility on agreed list of self-assessments submitted under Cycle 2 of the MOM Program Project.	Regional Priority	Copies of self-assessment review checklists and draft/final determinations.	As reviewed.		
	Data Management –Requirements apply to <u>all</u> NPDES Dischargers, unless otherwise specified.					
11.	Enter and maintain data in ICIS-NPDES for all WENDB or RIDE data elements.	National Policy	Enter data ICIS-NPDES.	Enter within 15 days after the fact, except as specified elsewhere.		

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12.	Enter and maintain current effluent limits and monitoring requirements in ICIS-NPDES for all major dischargers.	National Policy	Enter data into ICIS-NPDES.	30 days after the effective date of the permit		
13.	Once effluent limits and DMRs for minor dischargers are added to the WENDB or RIDE list, enter data into ICIS-NPDES.	National Policy	Enter data into ICIS-NPDES.	Begin immediately after publication of WENDB revisions. Enter as permits are issued.		

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14.	Maintain DMR entry rate of at least 95%.	National Policy	Enter data into ICIS-NPDES.	Enter within 58 days after the end of each monitoring period.		
15.	Enter inspection data for all NPDES program areas into ICIS-NPDES.	National Policy	Enter data ICIS-NPDES.	Enter the permit number, the name of the facility, the date of the inspection and inspection type within 15 days of		

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				completion of the inspection report, but no later than 45 days from the date of the inspection. All other information (single event violations) must be entered within 90 days of inspection so that all information		

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Date of latest workplan revision:

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Goal 2 - Clean and Safe Water

Goal 5 – Compliance and Environmental Stewardship

TASK No.	106 Workplan Task Description	Basis for 106 Workplan Task	Output/Outcome	Due Date	EPA Comments	Mid & End-of-Year Sta Report/State Comments <i>(Indicate whether task has been completed by writing the date the task was completed. If the task is not completed, provide an explanation for any delays or issues encountered.)</i>
				is entered into ICIS-NPDES no later than 12/31/09 for FY09.		
16.	Enter and maintain data in ICIS-NPDES for all formal and informal enforcement actions, including penalties assessed and collected.	National Policy	Enter data into ICIS-NPDES.	Enter data within 30 days of issuance of the enforcement action and penalties collected within 30 days of date of collection.		

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17.	Enter and maintain NPDES compliance and enforcement schedule data in ICIS-NPDES.	National Policy	Enter data into ICIS-NPDES.	Enter within 30 days of issuance.		
18.	Enter completion of schedule milestones.	National Policy	Enter data into ICIS-NPDES.	Enter within 30 days of notification of completion.		
19.	If storm water permit/enforcement information is not in ICIS-NPDES, submit a report containing: number of facilities inspected, number and type of action taken, and number of permitted facilities.	National Priority	Submit report.	11/30/08 02/28/09 05/31/09 08/30/09		

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	Pretreatment Facilities					
20.a.	<p>A Publicly Owned Treatment Works (POTW) Pretreatment (PT) Program Inspection/Audit Schedule for the next inspection year will be submitted electronically to the EPA, Region 4 Pretreatment Coordinator (PTC). If subsequent changes to the schedule occur, they shall be submitted electronically with an explanation.</p> <p>For the Industrial PT Program, at least 20% of fully-approved active POTW PT Programs shall receive PT Audits by the end of FY10 (10/01/09-09/30/10), so that all Programs are audited within 5 years,</p>	<p>40 C.F.R. § 403</p> <p>Including information in the Quarterly Report (QR).</p> <p>Enter data into</p>	Submit schedule.	08/31/0	Region 4 has adopted the new OECA minim requirement that at least two IUs be subject to oversight inspections during each Pretreatment Audit.	

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	and at least 80% of fully-approved active POTW PT Programs will receive inspections by the end of FY. During each audit, assessment of the POTW's inspection procedures will be made by oversight inspection of at least industrial users discharging to the POTW.	ICIS-NPDES.				
20.b.	For the Industrial PT Program, track the submission of POTW reports made per 40 C.F.R. § 403.12(i) and review 100% of all submissions to determine if appropriate permitting and enforcement of Significant Industrial users (SIUs) is accomplished by POTWs.	40 C.F.R. § 403	100% reports reviewed and entered into ICIS-NPDES.	As reports are reviewed.		
21.	Conduct a sufficient number of	40 C.F.R. § § 123.26, 403,	Conduct	10/01/08-	Goal 5 of the Strategic Plan is	

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	inspection/audits each quarter based on the FY09 Plan to assure inspection commitments are met. Enter inspections conducted into ICIS-NPDES.	and Goal 5 of the Strategic Plan	inspections/audts. Enter inspection information into ICIS- NPDES.	09/30/09 Enter the number, the name of the facility, the date of the inspection, and inspection type within 15 days of completion of the inspection report, but no later than 45 days from	entitled "Compliance and Environmental Stewardship; CWA05 requires reporting the number of federal and state inspections of POTWs w/approved pretreatment programs.	

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				the date of the inspection. All other inspection information must be entered within 90 days of the inspection so that all information is entered into ICIS-NPDES no later than 12/31/09.		

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22.	For the Industrial PT Program, copies of enforcement actions will be provided upon request by the EPA, Region 4 PTC.	40 C.F.R. § 403	Submit copies of enforcement actions.	Upon request.		
23.	For the Industrial PT Program, submit a quarterly report (QR) electronically to the EPA, Region 4 PTC. The QR will provide the total number of SIUs permitted by active approved POTW PT Programs as of the end of the quarter and POTWs in reportable non-compliance (RNC) and SNC. For RNC/SNC, the criteria met for each designation will be delineated, and a description of the enforcement history, present actions, and dates that non-compliance was resolved or is expected to be resolved will be	40 C.F.R. § 403 and Goal 2.2.1 and Goal 5 of the Strategic Plan	Submit complete reports on time and the list with the first report.	11/30/08 (for period 7/08-9/08) 2/28/09 (for period 10/08-12/08) 5/31/09 (for period 1/09-3/09) 08/31/09 (for period 4/09-6/09)	Goal 2.2.1 and 5 of the Strategic Plan requires reporting the number of SIUs, the number of CIUs, the number of inspections and the number of audits of approved PT programs.	

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	provided. The first QR submittal of the year will also include a list of approved POTW PT Programs (name, town) grouped by their status (active or developing).			11/30/09 (for period 7/09-9/09)		
	Policy, Strategy & Management					
24.	Submit the current State Enforcement Management System (EMS) for review. The EMS shall encompass all NPDES Program areas, including conventional major and minor, MOM, storm water,	Regional Priority and EPA/State MOA	Submit EMS	120 days after Memorandum of Agreement effective		

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	CAFO, CSO, SSO, WET, and PT facilities.			date (November 30, 2007) or other agreed to date.		
25.	Submit EMS revisions.	Regional Priority	Submit Revised EMS	As necessary		
26.	Provide assistance on National Wet Weather Enforcement Strategy Implementation. EPA's wet weather priorities are: CSOs, SSOs, storm water, and CAFOs. EPA must inspections and enforcement in these priority areas. The States are requested to perform partner with EPA in the initiatives and assist EPA in reaching our goals.	Goal 5 of the Strategic Plan	EPA/State to conduct inspections; EPA to implement enforcement.	As initiatives are conducted.	Goal 5 of the Strategic Plan is entitled, "Compliance and Enforcement Stewardship"; PBSCAFO02 requires the number of CAFO federal inspections; PBSCAFO04 requires the number of EPA & State joint inspections; PBSSSO01 requires reporting the number of large municipal	

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					authorities (total treatment capacity > 100 mgd) and their associated satellite municipal collection systems addressed; PBSSSO05 requires reporting the number of medium municipal authorities (total treatment capacity > 10 mgd < 100 mgd) and their associated satellite municipal collection systems addressed; PBSSTW08 requires reporting the number of inspections at homebuilders; PBSSTW09 requires reporting the number of big box store inspections; PBSSTW10 requires reporting the number of inspections of ready-mix concrete facilities; PBSSTW11 requires reporting	

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					the number of Audits of Phase I MS4s, ports, road building operations, and federal facility construction sites.	